

ATTACHMENT A
MOU Pilot Program
Central Valley Regional Water Board
3rd Quarter Report
October 2007

Background

On 29 June 2005, a Memorandum of Understanding (MOU) was signed between the Central Valley Regional Water Quality Control Board (Regional Water Board), the State Water Resources Control Board (State Water Board), the California Department of Pesticide Regulation (DPR), and the Agricultural Commissioners of Glenn County and Butte County that pertains solely to activities related to the Regional Water Board's Irrigated Lands Conditional Waiver Regulatory Program (Irrigated Lands Regulatory Program). At the end of two years, the MOU was to be reviewed by the signatories. After review, the MOU was to be renewed, revised, or terminated.

On 29 June 2007, all parties signed a MOU containing minor revisions to the original agreement. The 2007 MOU is effective for four years, at which time the MOU will be reviewed by all parties to assess its effectiveness in addressing water quality impacts as described in the Irrigated Lands Regulatory Program. Upon completion of the review, the MOU may be renewed, revised, or terminated.

The current contract between the Regional Water Board and each of the Agricultural Commissioners was executed on 27 December 2005 and was extended to allow for the delay in execution to 27 December 2007. The 2007 MOU specifies a new contract to provide funding of 0.5 PY to each of the Agricultural Commissioners for the first two years of the MOU, with the provision that the contract may be extended for additional years if agreed to by all parties.

Under both the 2005 and 2007 MOU, quarterly reports from the Liaison staffs are required. This Attachment A contains the Regional Water Board staff's quarterly report. The Butte County and Glenn County Agricultural Commissioners' staff wrote Attachments B and C, respectively, which contain the quarterly reports of their activities.

Regional Water Board Staff Activities under the MOU Pilot Program

The Regional Water Board staff liaison participated in a site inspection/sampling event at a Butte County farm site on 25 July. The inspection and sampling was a follow-up to an initial inspection as part of the Pine Creek management practice survey.

On 12 September, the Regional Water Board staff liaison met with the Agricultural Commissioners and staff. The Glenn County Agricultural Commissioner staff presented an evaluation of management practices on the Walker Creek Watershed evaluation.

There was a discussion on the work done to date and what actions should be taken to present the work performed under the MOU Pilot Program.

As part of outreach for the MOU Pilot Program, the Agricultural Commissioners staff presented their findings for the Pine Creek and Walker Creek watersheds to Irrigated Lands Regulatory Program staff on 21 September.

Program Support from Agricultural Commissioners and Their Staff

The Butte County staff liaison provided information and assistance on the Pine Creek farm inspection and sampling event. Regional Water Board staff requested and received information on crops grown at the farm site, pesticide use, and surrounding farms and drainages. Aerial photographs of the area were provided prior to the sampling event.

The staff liaisons have increased their outreach efforts with growers and other agencies. Priority has been given to communicating the results from Sacramento Valley Water Quality Coalition (Coalition) monitoring within the subwatershed to growers and interested parties. A line of communication has been established between the Coalition and the Agricultural Commissioners on sampling results and exceedances. The Glenn County staff has actively worked with the Coalition on sampling events and to determine sources of water quality exceedances.

Program Status

The Regional Board staff is working on the new contract to incorporate the performance measures referenced in the 2007 MOU. Task changes in the new contract will be based on the performance measures used to evaluate water quality improvements under the MOU, and on what was learned during the first two years of the program. A no-cost extension has been added to the present 2005 MOU contract to allow more time for the 2007 contract to be executed.

The staff liaisons are continuing their efforts on the Irrigated Lands Program objective of documenting management practices and their effectiveness in protecting water quality. More coordination and investigation relating to water quality and management practices are expected.

Regional Board staff will continue to work closely with the Agricultural Commissioners and their staff to further the goals of the MOU Pilot Program.

ATTACHMENT B
MOU Pilot Program
Butte County Department of Agriculture
3rd Quarter Report
October 2007

As required by contract # 05-183-150-0-A2, the Butte County Department of Agriculture (Butte County) is to provide the Regional Water Quality Control Board (Regional Board) with a quarterly report of activities as it relates to the scope of work for the Irrigated Lands Regulatory Program (ILRP) contract.

Task 1) *Provide information/maps and perform pesticide application inspections and investigate sites and exceedances for the ILRP as authorized by the Regional Board.*

Butte County continues to update the GIS map data and gather hydrological information relevant to the ILRP. The water monitoring locations for UC Davis, the Department of Pesticide Regulation (DPR) monitoring activities were added to the ILRP map. This sub-task is ongoing.

County staff performed one ILRP discharge investigation in the Pine Creek watershed.

County staff provided follow-up support activities for pesticide application permits in the Red-leg Frog habitat core area upper Feather River.

Task 2) *Inspect, assess and document management practices used in agricultural operations to protect water quality.*

Butte County staff performed 11 ILRP agricultural "Management Practices/ Pesticide" evaluation inspections this calendar year. This sub-task is complete.

The second half of the Pine Creek watershed surveyed for existing management practices used by agricultural operations adjacent the creek is complete. The results were presented to SWR staff on September 21, 2007.

County staff has been asked to write a follow-up "How To and Why" report that will provides and explains procedural details for the BMP survey conducted by the county.

The "Best Management Practices Report" continues to be developed. This sub-task is ongoing.

Task 3) *Assist the Regional Board in evaluating sample monitoring points for agricultural wastewater discharges and a list of pesticides used within Butte County.*

Butte County staff continues to update the pesticide list. This sub-task is ongoing.

Task 4) *Coordinate and conduct outreach to growers on management practices that protect water quality.*

Handouts and brochures that explain the Ag Waiver and ILRP pilot program, Coalition efforts and activities within sub-watersheds, continue to be provided at pesticide permit appointments.

The Pine Creek BMP survey has been provided to the Butte-Yuba-Sutter Water Shed and the Power Point presentation will be presented to the next assembly, scheduled for October 10, 2007

Task 5) *Assist Regional Board staff by coordinating with other agencies and providing information and input that will further the implementation of the ILRP.*

Butte County staff has attended and participated in the following organized ILRP-related functions and meetings this quarter:

- 4 ILRP/ SWRCB meetings
- 3 watershed and SVWQC meetings
- 1 County NPDES meeting
- 2 other ILRP-affiliated meetings

Recommendations:

Invoicing flexibility for services and supplies is not available in the present contract and should be considered. Funds to cover possible sampling activities, mailing costs for ILRP outreach and related issues are presently being covered by the county Ag Departments and through other programs and will, likely, not be available in the future.

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ATTACHMENT C
MOU Pilot Program
Glenn County Department of Agriculture
3rd Quarter Report
October 2007

In accordance to contract # 05-182-150-0, the Glenn County Department of Agriculture (Glenn County) is to provide the Regional Water Quality Control Board (Regional Board) with a quarterly report of activities as it relates to the scope of work for the Irrigated Lands Regulatory Program (ILRP) contract. Following is a list of the tasks:

Task 1) Provide information/maps and inspect and investigate sites for the ILRP as authorized by the Regional Board.

- A. *Provide currently available maps of the County delineating natural water bodies, constructed agricultural drains and canals to assist the Regional Board in identifying releases into waters of the state.*

There has been no additional request for information this quarter for this task. Under task 2.B, additional drains are being identified within the Walker Creek watershed.

- B. *As authorized by the Regional Board Contract Manager, perform a minimum of 5 pesticide application inspections per year based on water quality issues identified by Regional Board, Coalition Groups/Individual Dischargers, or the Commissioner.*

Glenn County staff performed one inspection this quarter, with one remaining to complete the required amount called for in this sub task under the current contract period.

Comment: Glenn County is now utilizing the Pre-application Site Inspection process that provides a better opportunity for grower outreach. This is achieved through the Tri-County Bee Notification program located at our Department, which provides the information necessary to locate pesticide applications (48 hour prior notice). This is a convenient method, because most pesticides that are toxic to bees are also toxic to aquatic life.

- C. *As authorized by the Regional Board Contract Manager, perform investigations to identify sources of water quality exceedances.*

At the request of the Contract Manager, Glenn County staff has evaluated pesticide usage on two occasions during this quarter. One being specifically in the Walker Creek area of the county to assist in determining pesticides that may have contributed to an aquatic toxicity event, and the other to assist in determining the most prevalent rice herbicides early in the rice growing season.

Recommendations: Utilize the Pilot Program to the full advantage of the Regional Board for exceedance investigations and pesticide use information.

Task 2) *Inspect, assess and document management practices used in agricultural operations to protect water quality.*

A. *As agreed between the Regional Board Contract Manager and County Liaison, inspect a minimum of 5 sites to identify management practices that protect water quality and determine their effectiveness.*

See Task 2.B, below

B. *Identify, evaluate and document management practices that are specific and appropriate to activities and operations within the watershed.*

Glenn County staff has recently completed the large-scale watershed evaluation within the Walker Creek watershed. Previous quarterly reports have discussed performing visual assessments and documenting existing Best Management Practices (BMP's) currently in place. The evaluation assessed 380 irrigated agricultural sites totaling 27,422 acres.

An Arc View project has been developed and will be provided to the Contract manager with a final report detailing all activities.

There have been 115 identified agricultural operations in the watershed. To assist in outreach efforts, growers have completed a Site Self Assessment Survey created by the Coalition for Urban and Rural and Environmental Stewardship (CURES). To date 16,000 acres of the watershed area have completed surveys documenting management practice employed but not visible at the time of the evaluation. In the course of the project, 40 fields were not evaluated due to being too small or inaccessible. As stated previously, these ranchette operations may be members of the SVWQC, but they do not necessarily employ management practices on a scale that would have a beneficial effect on water quality or use materials that could have a detrimental effect on water quality

On September 21, 2007, Glenn County staff provided Regional Board staff with a power point presentation of the applicability of the BMP evaluation and how it may assist the Regional Board in program implementation. At the same time, the BMP evaluation can provide additional information to the Sacramento Valley Water Quality Coalition and local sub-watersheds on outreach. When requested, Glenn County staff is prepared to provide additional demonstrations to interested parties.

A final report on the evaluation will be submitted according to the performance measure timeline in the upcoming contract renewal.

Recommendation: It is recommended that additional watershed evaluations within the Sub-watershed take place.

C. Take part in the development of integrated management practices to protect water quality.

If necessary, future sampling event results in the Walker Creek area may determine if there is a need for additional BMP's to be developed or put in place.

Task 3) *Assist the Regional Board in evaluating sample monitoring points for agricultural wastewater discharges within Glenn County.*

A. Inspect sampling points designated in the Sacramento Valley Water Quality Coalition (SVWQC) or the California Rice Commission (CRC) Monitoring and Reporting Program within the County to determine if representative samples of agricultural wastewater discharges can be obtained at the designated sample points and at sampling times.

Based upon continued low dissolved oxygen readings from the current Walker Creek sampling location, Glenn County staff has recommended to the Colusa Glenn Sub-watershed that it may be beneficial to change to an upstream location where flows are not restricted by beaver dams. But due to two aquatic toxicities at the current location, further sampling may be required after additional outreach efforts are assessed. Glenn County staff continues to perform follow-up field data when requested by Coalition sampling crews or the Contract Manager.

Recommendations: Continue to provide the technical support necessary to local sub-watersheds in their selection process based upon our capabilities. Continue to utilize Glenn County staff to provide follow-up field parameter measurements.

B. Provide a list of pesticides being used in the County and inform the Regional Board when new chemicals/pesticides are used.

Based upon our inquiries, there are no new materials being used in Glenn County.

Recommendations: Continue to provide the information necessary when requested.

Task 4) *Coordinate and conduct outreach to growers on management practices that protect water quality.*

A. Participate in outreach programs to assist the ILRP participants in complying with management practices to protect water quality.

Glenn County staff continues to provide outreach when requested and also by attending meetings of the SVWQC, local sub-watersheds, local Resource Conservation Districts (RCD), Farm Bureau, and Sacramento Valley Agricultural Commissioners Association to promote programs that may be beneficial to water quality. Glenn County staff has been successful in their

past efforts to bring together the Glenn County RCD to perform outreach services for the Colusa Glenn Sub-watershed.

The Agricultural Commissioners of Glenn and Butte County recently participated in Regional and joint Regional/State Board meetings to provide input and comment on activities undertaken under the MOU.

- B. Evaluate outreach efforts and help the Regional Board staff design programs on management practices to protect water quality.*

See Task 2.B.

Recommendations: Outreach to growers will continue to be the most important component for the ILRP in the future. Recent discussions of including groundwater in this regulatory program will create the need for additional outreach on a more complex level outside of the agricultural arena. The current level of understanding of the existing program and enforcement issues has taken years; an expansion into groundwater will necessitate broader outreach efforts.

Task 5) Assist Regional Board staff by providing information and input that will further the implementation of the ILRP.

- A. Coordinate with other agencies associated with agricultural operations on management practices that protect water quality.*

See Task 4.A. This sub-task is ongoing.

- B. Other activities agreed upon by both parties that fall under the purview of the MOU and this contract.*

Glenn County staff sees watershed evaluations for BMP's as an effective way to gather information that will assist the Regional Board and the local sub-watershed in collaborative outreach efforts, with this in mind, a similar evaluation in the Logan Creek watershed was initiated. The Logan Creek watershed has a Coalition sampling location that will remain active for the 2008 sampling season. The watershed also reaches into Colusa County. An agreement has been developed between the Glenn and Colusa County Departments of Agriculture to work cooperatively in this evaluation process.

Recommendations: The ability of the program manager to provide information and input to the Coalition, sub-watershed groups, and Butte and Glenn County in relation to their contracts and furthering implementation of the ILRP can only be attained if the program manager has a good basic understanding of agriculture and the Sacramento Valley Watershed complex. This knowledge is most appropriately and successfully gained through interaction and training in the field (Agricultural Commissioners Contract). It has been most difficult to get adequate field time, in my opinion, with the program manager. Two to four days a month for at least a year, at minimum, would be necessary to gain a basic understanding of a

growing and cropping season. We currently get, maybe, one to two days a quarter.